

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(MBHB Docket No. 06-361)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Office of PCT Legal Administration

RENEWED PETITION UNDER 37 C.F.R. § 1.47(a)

This is a Renewed Petition pursuant to 37 C.F.R. §1.47(a), in which Applicant respectfully requests the U.S. Patent and Trademark Office to allow the signing inventors, Theo Naicker, Tony Yunnie, and Jon Hutchings, to make this application on behalf of themselves and the nonsigning inventor, Devan Govender, who refuses to join in the above-identified application for patent.

By way of background, Applicant filed an original "Petition Under 37 C.F.R. §1.47(a)" on August 7, 2007. In a Decision mailed October 1, 2007, the PCT Legal Examiner dismissed that Petition. The Decision identified four requirements for a petition under 37 C.F.R. §1.47(a) and confirmed that requirements (1) and (4) had been satisfied. However, the Decision indicated that additional information was required in

order to satisfy requirements (2) and (3). The Decision also suggested that Applicant could request reconsideration by filing a Renewed Petition.

In this Renewed Petition, Applicant provides the additional information that the Decision indicated was needed to satisfy requirements (2) and (3). With respect to requirement (2), the Decision noted that the evidence presented tends to suggest that Mr. Govender may have refused to execute a declaration document after having been presented with the declaration and a copy of the application. However, the original Petition did not provide a statement from Ms. Tracey Clarke introducing the email evidence and attesting to the facts surrounding those communications. With this Renewed Petition, Applicant submits the Declaration of Tracey Clarke in order to introduce the email evidence previously submitted as Exhibits C-G to Mr. Verardi's Declaration and to attest to the facts surrounding those communications.

With respect to requirement (3), the Decision asked Applicant to clarify which address given for Mr. Govender is his last-known permanent address. In response, Applicant states that the last-known permanent address of Mr. Govender is the following:
1 Aqua Marina, 1 Marine Drive, Umhloti 4350, South Africa.

Applicant submits that with the information provided with this Renewed Petition all requirements for a petition under 37 CFR § 1.47(a) have now been satisfied, and notice to that effect is respectfully requested.

Respectfully submitted,

Date: November 30, 2007

By: Richard A. Machonkin

Richard A. Machonkin

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In re the Application of:)	
)	
Naicker, et al.)	
)	Group Art Unit: 3713
Serial No.:	10/579,806)
)	Examiner: TBA
Filed:	May 16, 2006)
)	Confirmation No. 3623
For:	System For Playing A Bingo-Type Game)
)	

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DECLARATION OF TRACEY CLARKE

In support of the Renewed Petition under 37 C.F.R. §1.47(a) to allow the signing inventors, Theo Naicker, Tony Yunnie, and Jon Hutchings, to make this application on behalf of themselves and the nonsigning inventor, Devan Govender, who refuses to join in the above-identified application for patent, I, Tracey Clarke, hereby declare as follows:

1. I am Mr. Verardi's assistant at the law firm of Novellie Verardi & Mitchell, which is located at MGS House, Circular Road, Douglas, Isle of Man, British Isles, IM1 1BL. I have personal knowledge of the following facts, and if called to testify, I would and could testify competently to the matters set forth herein.

2. I have reviewed Mr. Verardi's Declaration and Exhibits A-G thereto. I have personal knowledge regarding Exhibits C-G to Mr. Verardi's Declaration, as set forth in the following paragraphs 3 through 7.

3. On July 30, 2007, I sent Mr. Govender an e-mail message that attached a Declaration for his signature. A redacted copy of that e-mail message, and the Declaration it attached, is attached as Exhibit C to Mr. Verardi's Declaration.

4. On August 1, 2007, I sent Mr. Govender an e-mail message with a revised Declaration to include his personal address in South Africa. A redacted copy of that e-mail message, and the revised Declaration it attached, is attached as Exhibit D to Mr. Verardi's Declaration.

5. I subsequently received an e-mail message from Mr. Govender, in which he stated: "I refuse to sign these documents." A copy of that e-mail message is attached as Exhibit E to Mr. Verardi's Declaration.

6. On August 3, 2007, I e-mailed a copy of the specification filed in the United States, a Declaration, and Assignment to Mr. Govender. My e-mail message asked Mr. Govender to: "Please sign the two documents and return them to me as a matter of urgency." A copy of that e-mail message with its attachments is attached as Exhibit F to Mr. Verardi's Declaration.

7. Later that day, I received an e-mail message from Mr. Govender that responded to my e-mail message. Mr. Govender's message stated: "As previously discussed with Frank Verardi, I refuse to sign these documents." A copy of that e-mail message is attached as Exhibit G to Mr. Verardi's Declaration.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 29th November, 2007

By: 
Tracey Clarke